

## SELECT COMMITTEE ON LEGISLATIVE ETHICS

## ***May legislative employees work on ballot initiatives on government time?***

AO 17-05 discusses what activities may be performed and what state resources may be used by a legislative employee related to state ballot initiatives. The conclusion of the ethics committee was as follows:

Based on the foregoing discussion and the previous advisory opinions and complaint decisions cited therein, including AO 97-02, we advise as follows:

(1) An activity focused on the policy aspects of a ballot initiative, not a campaign for its passage or defeat, is likely to be permitted by the Act. For example, permissible use of government resources and time by a legislative employee, in connection with a statewide ballot initiative, includes commenting on the initiative; presenting information, not connected to a campaign for the initiative, about the initiative and a legislator's position on it, including at events open to the public; preparing draft legislation for possible introduction to the legislature; and, preparing communications concerning the initiative and the legislator's position on it.

(1) However, we advise that, as a general rule, you avoid use of government time and other state assets or resources on activities that are focused on a campaign for or against a ballot initiative campaign. Examples of activities related to a campaign for or against a ballot initiative campaign that, when performed by legislative staff on government time that we may find are prohibited by the act, depending on specific facts, include endorsing the campaign, appearing in the campaign's advertising, facilitating or participating in rallies, interviews, events, or meetings of petition organizers and signature gatherers, donating or raising money, preparing a document of any kind for a campaign, or circulating an official initiative petition. These are only a few examples. Depending on specific facts, we might find that a legislative staff employee's use of government time or another legislative asset or resource to aid or participate in a campaign for or against a statewide ballot initiative violates AS 24.60.030(a)(2) or (a)(5).

(2) A legislative staff employee who is on government time

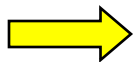
- (A) may conduct research related to a pending state ballot initiative only, including issues raised by the initiative, however, the research may not be conducted on behalf of a campaign, or provided to a campaign.
- (B) may not participate, as part of a campaign or otherwise, in charting the general strategy for causing the passage or defeat of a state ballot initiative;
- (C) may not prepare a document of any kind, including a document necessary for filing an initiative or a document related to signature-gathering or fundraising, for use by a campaign that is for or against a state ballot initiative;

For a more detailed discussion see link at <http://www.legis.state.ak.us/search/ethics/>.

## **2020 Important Ethics Dates**

**Contact the Ethics Office for more information**

<b>Thursday, June 18, 2020</b>	Last day to use state resources, for example, using the print shop or legislative office printers for mass mailings.
<b>Saturday, July 4, 2020</b>	Moratorium on ethics complaints began. (AS 24.60.170(q))
<b>Sunday, July 19, 2020</b>	Final day to send general information newsletters prior to the Primary Election, whether paper or electronic, without using state resources.
<b>Tuesday, August 18, 2020</b>	<b>Primary Election Day</b>
<b>Wednesday, August 19, 2020</b>	OK to send newsletters again, without using state resources.
<b>Sunday, October 4, 2020</b>	Final day to send general information newsletters prior to the General Election, whether paper or electronic, without using state resources.
<b>Tuesday, November 3, 2020</b>	<b>General Election Day</b>
<b>Wednesday, November 4, 2020</b>	OK to send out newsletters including those utilizing state resources.



## File disclosures for new associations during session, during recess, *and* during the interim

**Board memberships** (within 30 days of the beginning of the association). *Example:* A legislator or legislative employee is elected to a condo association board on August 12, 2020. Disclosure due September 11, 2020.

**Close economic associations** (Both parties must file a disclosure within 30 days of the beginning of the association). *Example:* A legislator purchases a piece of artwork worth \$250 or more from a legislative employee on August 15, 2020. Disclosures due September 14, 2020.

**State Benefit and Loan Programs** (within 30 days of the beginning of participation). *Example:* A legislator or legislative employee receives a new commercial fishing loan on August 30, 2020. Disclosure due September 29, 2020.

**State Contracts, Leases, and Grants** (within 30 days of the beginning of the association). *Example:* A legislator or legislative employee renegotiates a state contract on August 1, 2020. Disclosure due August 31, 2020.

If you are unsure as to whether you need to file a disclosure, contact the Ethics Office at 269-0150 or 269-8179.



### File Your Ethics Disclosures Online

1. Go to <http://intranet.akleg.gov/> and scroll down to "File now" under the "File an Ethics Disclosure" section.
2. Go to the line that begins with "Click HERE."
3. Double click on the word "HERE."
4. Enter your credentials (your computer log-in).
5. Click on the type of disclosure you want to file.
6. Complete the form using drop down menus when available. **(Provide complete information. Gifts of travel are for the purpose of obtaining information about matters of legislative concern. Include one or two sentences about how the information you obtained is a matter of legislative concern.)**
7. Check your completed disclosure for accuracy and submit.

### Legislative Purpose Test

Before taking action or accepting a gift of travel, ask yourself:

- What is the legislative purpose of my action?
- Is the activity or service necessary to perform my official duties?

If not, do not take action or accept a gift of travel unless it fits one of the specific exceptions under AS 24.60.080(c). Call the ethics office for more information.



### DISCLAIMER

*Information in this newsletter is given as a general overview. Your circumstances may require more specific information and advice. Please contact the ethics office if you have any questions as to whether your intended action is in compliance with the Ethics Act AS 24.60.*

### Contact the Select Committee on Legislative Ethics

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